

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hirohisa TANAKA et al.

Group Art Unit: Not Yet Assigned

Application No.: 10/519,980

Examiner: Not Yet Assigned

Filed: January 4, 2005

Atty Dkt No: 71465.00009

Confirmation No.: Not Yet Assigned

Customer No.: 35161

For: EXHAUST GAS PURIFYING CATALYST

SUBMISSION OF TRANSLATION OF
THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find attached the English language translation of the International Preliminary Examination Report previously filed January 4, 2005, as issued in corresponding International Application No.: PCT/JP2003/008436. The Examiner is respectfully requested to acknowledge receipt of this submission.

Respectfully submitted,

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Date: April 14, 2005

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

To:

OKAMOTO, Hiroyuki
c/o AI ASSOCIATION OF PATENT AND
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Date of mailing (day/month/year)

27 January 2005 (27.01.2005)

Applicant's or agent's file reference

903005PCT

International application No.

PCT/JP2003/008436

International filing date (day/month/year)

03 July 2003 (03.07.2003)

Applicant

DAIHATSU MOTOR CO., LTD. et al

IMPORTANT NOTIFICATION

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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Translation

PATENT COOPERATION TREATY

PCT/JP2003/008436



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 903005PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008436	International filing date (day/month/year) 03 July 2003 (03.07.2003)	Priority date (day/month/year) 09 July 2002 (09.07.2002)
International Patent Classification (IPC) or national classification and IPC B01J 23/89, 23/63, B01D 53/94		
Applicant DAIHATSU MOTOR CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>4</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 25 November 2003 (25.11.2003)	Date of completion of this report 12 May 2004 (12.05.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/008436

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/08436

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claim	4	YES
	Claims	1-3, 5	NO
Inventive step (IS)	Claim	4	YES
	Claims	1-3, 5	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations

Document 1: JP 63-302950 A (Nissan Motor Co., Ltd.) December 9, 1988

Document 2: JP 3-186346 A (Daihatsu Motor Co., Ltd.) August 14, 1991

Document 3: JP 5-509033 A (Specialites et Techniques en Traitement de Surfaces-STTS) December 16, 1993

Document 4: Nolgen Guillaume, et al., Journal of Catalysis, Vol. 165, No. 2, 1997, p. 197-204

Based on the descriptions in documents 1-4 cited in the international search report, the inventions of claims 1-3 and 5 lack novelty.

Document 1 describes a catalyst for waste gas purification that contains a perovskite composite oxide represented by the general formula $A_{1-x}A'_xB_{1-y}B'_yO_3$, wherein A represents a rare earth metal, A' represents Ce or Pr, B represents Fe or Mn, and B' represents Rh, x represents 0.9 to 0.1 and y represents 0.9 to 0. It also states that this catalyst is carried by platinum. This catalyst is identical to the inventions of claims 1-3 and 5.

Document 2 describes a catalyst for waste gas purification that contains a perovskite composite oxide represented by the general formula $A_{1-x}A'_xB_{1-y}B'_yO_3$, wherein A represents a rare earth element, A' represents Ce, B represents Rh and B' represents Mn, Fe or Al, $0 < x \leq 0.6$, and $0 \leq y < 1$. This catalyst is identical to the inventions of claims 1-3.

Document 3 describes a catalyst for waste gas purification that contains a perovskite composite oxide represented by the general formula $L_xL'_{1-x}M_yM'_z\Phi_{1-y-z}O_3$, wherein L represents a Lanthanide or rare earth element, L' represents Ce, M represents Mn or Fe, M' represents Rh, $0 < x < 0.5$, $0.85 < y \leq 1$, and $0 < z < 0.08$. This catalyst is identical to the inventions of claims 1-3.

Document 4 describes a catalyst for waste gas purification that contains a perovskite composite oxide represented by the general formula $LaMn_{0.976}Rh_{0.024}O_{3+\delta}$. This catalyst is identical to the inventions of claims 1-3.

The invention of claim 4 is novel and involves an inventive step with respect to documents 1-4 cited in the international search report.

Documents 1-4 do not describe the catalyst for waste gas purification that contains a perovskite composite oxide of claim 4, and persons skilled in the art cannot easily conceive of that invention.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/08436

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of Box I.5.:

At the time it was filed this international application disclosed only a catalyst for waste gas purification, and it did not make a general disclosure of catalyst compositions that are not restricted to waste gas purification. Therefore, the invention of claim 6 on page 25 and the amendment to page 3 are beyond the scope of disclosure of this international application at the time of filing.